

ROCKY FLATS CITIZENS ADVISORY BOARD**MINUTES OF WORK SESSION****December 4, 1997**

FACILITATOR: Reed Hodgins, AlphaTRAC

Tom Marshall called the meeting to order at 6:20 p.m.

BOARD / EX-OFFICIO MEMBERS PRESENT: Susan Barron, Tom Davidson, Eugene DeMayo, Mary Harlow, Victor Holm, Susan Johnson, Sasa Jovic, Bob Kanick, Jim Kinsinger, Beverly Lyne, Tom Marshall, David Navarro, Linda Sikkema / Jeremy Karpatkin, Tim Rehder, Steve Tarlton**BOARD / EX-OFFICIO MEMBERS ABSENT:** Alan Aluisi, Tom Clark, Tom Gallegos, Paul Grogger / Frazer Lockhart**PUBLIC / OBSERVERS PRESENT:** Chris Hoyt (Rocky Mountain News); Kenneth Werth (citizen); Hank Stovall (Broomfield); James Ciarlo (citizen); Alan Albrandt (citizen); J. Jones (citizen); Tom Hoffman (citizen); John Schneider (DOE); Alan Trenary (citizen); John Corsi (K-H); Eric Sikkema (citizen); Dorothy Ciarlo (citizen); Ken Korkia (CAB staff); Chris Millsaps (CAB staff); Erin Rogers (CAB staff); Deb Thompson (CAB staff)**PUBLIC COMMENT PERIOD:** No comments were received.**KAISER-HILL PERFORMANCE MEASURES** (Tod Anderson, DOE-RFFO): Tod gave a presentation on the status of Kaiser-Hill's completed performance measures for FY97. Kaiser-Hill earned \$14 million in fees, which represents 57% of the total award fees available of approximately \$24 million. The company's performance highlights included risk reduction, waste shipments, and D&D accomplishments. Some performance measures (safety and comprehensive) are still being evaluated by DOE. Highlights of FY97 results by Kaiser-Hill include:

- Building 371 liquid stabilization
- Shipments of special nuclear materials
- Low-level waste shipments
- Building 779 deactivation
- Building 771 tank draining
- Building 886 deactivated
- Mound Site restoration

ADMIN RECORD

SW-A-005314

- \$60 million in unfunded work was completed

DOE-RFFO's original budget request for FY98 was for just over \$640 million. The subsequent closure request made this summer was for \$694.3 million; the site is anticipating receiving a total of \$672.3 million in FY98. For FY98, DOE is developing the performance measures instead of Kaiser-Hill. DOE believes the FY98 performance measures will be even more focused. Key areas have been identified for those performance measures, including special nuclear materials liquid, residues, waste chemicals, property, etc. In addition, FY98 will now include Superstretch II performance measures, which accelerate out-year (FY99 and beyond) work and help to move toward closure sooner. Cost restriction parameters will be increased and applied to most major performance measures, to help reduce cost overruns even further. In the future, the work scope will be better defined and more data should be available on what resources are necessary to deactivate, decommission, and demolish major site facilities.

Q&A / Comment Session:

Question: Susan Barron: One issue for me is safety. Based on the history, sometimes that isn't kept a priority like cost and time. How is that being handled so safety is not sacrificed?

Answer: Tod Anderson: First, we have a safety performance measure with a lot of money tied to it. It comprises things like OSHA statistics, radiological incidents, etc. that in order for Kaiser-Hill to earn a fee, that have to perform well over the course of the year. Also, the contract has a number of provisions that assure that Kaiser-Hill is kept on track, with penalties for serious accidents. And there is the Price-Anderson Amendments Act which issues penalties to the contractor for certain types of violations.

Question: Tom Marshall: On the safety performance index, on our chart it looks as though Kaiser-Hill has been given a relatively small percentage of what it potentially could get. How do you encourage them further?

Answer: Tod Anderson: The way the safety performance measure is evaluated, is like a Standard & Poor's 500 index. A score is given. Kaiser-Hill has submitted one request for payment on the safety performance measure based on statistics at a certain time of the year. They have to not only get to a certain level of performance on safety, but also if they fall back they lose in terms of money later on. They would have to perform exceedingly well to get all of it, but the opportunity is there to earn the fee.

Question: Richard Millhouse: Are they paid on a lump sum basis per job, or are they paid as expenses occur?

Answer: Tod Anderson: The costs are reimbursed as expenses occur, and for the performance measures they are paid whenever they complete a particular element.

Question: Mary Harlow: It doesn't appear as though there was any money requested by Kaiser-Hill or paid in FY97 for financial stewardship. Can you address that?

Answer: Tod Anderson: That activity was associated with installing and bringing online a new computer database for tracking the financial activities of the site. There is still one from past years, but this would be a new and improved model. They didn't meet the deadline on

that. It's not that we are not keeping track of the money, but that this year's software system was an activity targeted that they did not make it.

Question: Hank Stovall: One of the concerns in the community is safety, and there have been problems with some of the ER jobs as well as exceedances in Walnut Creek. Could you explain some of the parameters you take into account for safety, and what the index improvement really means?

Answer: Tod Anderson: In the beginning of FY98, based on performance in FY97, an analysis of comparable industry statistics like OSHA information, there is a baseline set and each indicator runs from one to ten in terms of gradation that can be achieved. The baselines are set at certain points by addressing the scales. That scale was graded based on safety professionals analyzing the information. They set targets for improvement beyond the current level of performance. So they did have a significant improvement.

Question: Tom Marshall: Can we get a revised copy of the chart, and when we do is it possible to get a description of when there isn't a full fee paid, what is missing?

Answer: Tod Anderson: We could probably put something together, but I will have to look into it. There is a lot of documentation to sift through and understand what those items were. A lot of that information is put in the reading rooms such as completion reports.

Question: Brandy Hill: Why for FY98 is there no money allocated for environmental restoration?

Answer: Tod Anderson: The difference is in FY97 we got our money through the environmental restoration budget. Congress just changed the way they distributed the money. Virtually all of our money in FY97 was under the environmental restoration, or the environmental management budget, but this year it's called the closure fund. It's basically the same thing, to close Rocky Flats.

UPDATE - RFCA MILESTONE SETTING FOR FY98 (Steve Tarlton, CDPHE, and Tim Rehder, EPA): In the first of regular updates to be given to CAB by the regulatory agencies, Tim Rehder and Steve Tarlton discussed with Board members and the public the progress of setting RFCA milestones for FY98. Some of those milestones include: construction of a new facility for storage of TRU/TRM waste; removal of gloveboxes from Building 779; shipment of wastes offsite; cleanup of Trench T-1; thermal stabilization of plutonium oxide; complete and operate remedial actions for the Solar Pond plume, and the East Trenches/903 Pad/Ryans Pit/Mound plume. CDPHE and EPA also submitted documents updating CAB on the status of selected Rocky Flats issues. Copies of those reports are available from the CAB office.

PROPOSED LETTER REGARDING WORKER RETALIATION (Jim Kinsinger): At the Board's August meeting, several workers from Rocky Flats approached CAB with concerns about two specific incidents that occurred at the site this summer. One worker later expressed concerns to the Site Wide Issues Committee, after he felt he was intimidated by management for speaking openly at the CAB meeting. The Site Wide Issues/Budget Focus Group drafted a letter for the Board's approval to be sent to DOE-RFFO, Kaiser-Hill, and the United Steelworkers Union. The letter states that CAB supports the right of RFETS workers to speak about any Rocky Flats activities, then asks management at the site to

continue to educate its managers on the proper treatment of employees. The letter also asks management and the union to work together on methods for resolving such issues.

Decision: *Approve letter with changes recommended by the Board. APPROVED BY CONSENSUS.*

PROPOSED LETTER REGARDING SAFEGUARDS AND SECURITY ISSUES

(Mary Harlow): The Plutonium Issues Focus Group drafted and submitted a letter for CAB approval which would submit recommendations to Congressional and DOE representatives about safeguards and security concerns at Rocky Flats. Those recommendations include: 1) that Congress conduct hearings regarding the safety and security of nuclear materials at DOE facilities, and call DOE-RFFO staff to testify before Congress about deficiencies at the site; 2) that DOE develop a coordinated framework for safeguards and security oversight and review; 3) that an independent, third party oversight body be established to oversee safeguards and security matters for Rocky Flats and the entire weapons complex; and 4) that DOE and Congress consider giving the Nuclear Regulatory Commission statutory authority to regulate nuclear safety at DOE facilities.

Decision: *Approve letter with changes recommended by the Board. APPROVED BY CONSENSUS.*

DISCUSSION OF NATIONAL DIALOGUE (Tom Marshall): Tom Marshall and Linda Sikkema recently attended a meeting of the SSAB chairs in Dallas, Texas. However, they did not have complete details ready to discuss with the Board, and in the interest of saving time on tonight's agenda asked to reschedule this discussion for CAB's January meeting.

CAB OUTREACH PROPOSAL (Linda Sikkema, Erin Rogers): A group of Board members and outside representatives met to prepare an outreach program, as noted in CAB's 1998 work plan. This plan for outreach activities includes developing a speakers' bureau and slideshow, conducting public opinion polls, holding CAB-sponsored issues forums for the public, and developing a "lesson box" to be used by local teachers and professors. CAB budgeted \$50,000 for calendar year 1998 to use toward outreach and contracted projects. The proposed outreach program will use approximately \$22,500 from that line item. The remainder of funds will be set aside for a contract research project sometime in 1998.

Decision: *Approve CAB outreach program for 1998. APPROVED BY CONSENSUS.*

MEMBER TERM RENEWALS: The following Board members have terms that expire in 1997 - Tom Davidson, Eugene DeMayo, Victor Holm, Sasa Jovic, Tom Marshall and Linda Sikkema. They were asked to indicate whether they are interested in reappointment to a second term on CAB. Sasa Jovic stated he no longer has time available to devote to the Board, and he resigned. All other members wished to be reappointed. Members are reappointed to a six-year term.

Decision: *Approve reappointment of Tom Davidson, Eugene DeMayo, Victor Holm, Tom Marshall, and Linda Sikkema, to serve a six-year term on the Board. APPROVED BY CONSENSUS.*

NEXT MEETING:

Date: January 8, 1997, 6 - 9:30 p.m.

Location: Westminster City Hall, lower-level Multi-Purpose Room, 4800 West 92nd Avenue, Westminster

Agenda: * *Presentation from Rocky Flats Facility and Infrastructure Transition Task Force; recommendation on Plutonium Residues EIS; recommendation on Building 779 Decommissioning Plan*

ACTION ITEM SUMMARY: ASSIGNED TO:

- 1) Revise and send letter of recommendation regarding worker retaliation - Erin Rogers
- 2) Revise and send letter of recommendation regarding safeguards and security issues - Ken Korkia

MEETING ADJOURNED AT 8:35 P.M. (followed by a holiday reception) *

(* Taped transcript of full meeting is available in CAB office.)

RESPECTFULLY SUBMITTED:

Tom Gallegos, Secretary
Rocky Flats Citizens Advisory Board

The Rocky Flats Citizens Advisory Board is a community advisory group that reviews and provides recommendations on cleanup plans for Rocky Flats, a former nuclear weapons plant outside of Denver, Colorado.

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